

Democrats. Of the twenty who voted to sustain the veto nine were Republicans and eleven were Democrats. Senator Sterling, of South Dakota, started the fight when he asked that the Senate go into legislative session and take up the prohibition veto.

"We are in recess for the purpose of discussing the treaty," said Senator Hitchcock, "and, if possible, reaching a vote. We have been subject to aggravated delay and the country is beginning to suspect a purpose to prevent action."

**Lodge States His Views**

"I always opposed constitutional prohibition," said Senator Lodge. "I voted against it. I believe it should not be in the Constitution. The people decided differently. There is no greater evil than a constitutional amendment that cannot be enforced. For that reason I voted for the bill which has just been vetoed. In view of disturbed conditions in the country the failure of this legislation would be a calamity."

"I voted against the constitutional prohibition amendment," said Senator Underwood, of Alabama, "because I believed it was a question for the states to determine, and not the national government. I thought it better that the people of each state should determine the matter for themselves."

"Now it is the law of the land. Although I did not believe it wise to have national prohibition, the people agreed to it and I am in favor of enforcing it. I am in favor now and hereafter of passing laws to enforce this amendment. I think it is going to cost a vast deal more than is expected, but it should have a try-out."

"The reason the President vetoed this bill was because those who favored national-wide prohibition broke faith. They proclaimed to the country that they were not in favor of the drastic destruction of private property. Later it was proposed to write into the law a proviso that the President should not have the power to declare war without the consent of Congress. The country sustained its contention. Congress yielded and enacted the desired legislation."

"I have always wondered," said Senator Borah, "whether this war-time prohibition act was constitutional. Congress listened to the appeal of the extremists and provided for prohibition without the consent of the states. The country sustained its contention. Congress yielded and enacted the desired legislation."

"The Attorney General," said Senator Underwood, "is going ahead enforcing war-time prohibition without reference to this bill. He is going ahead just the same as if there would be no demobilization."

"The good faith of this transaction should be carried out. These people should have an opportunity to wind up their business and save their property. The President is right in saying that constitutional prohibition should not contain a clause for war-time prohibition."

**Says Country Wants It**

"I know the Senate is not going to defy the organized prohibition sentiment of this country. The rank and file, I believe, would not object to carrying out constitutional prohibition as agreed. But the organized prohibitionists would not accept that conclusion. Every man in this Senate knows that the President's veto will be overridden. Every man knows that if this is not done the House and Senate would promptly pass a bill to enforce constitutional prohibition."

"I resent the charge that anybody has broken faith in connection with the constitutional amendment," said Senator Sheppard. "It is a matter of grace and not of right. When have the liquor interests ever kept faith with anybody? The courts repeatedly have held that

there are no property rights in liquor. The President's veto cannot repeal the war-time prohibition. The law remains on the statute books. The heroes of the Senate from Alabama are impressive, but nothing more."

am satisfied," said Senator Thomas, "that many Senators and the people generally understood, by implication at least, that the owners of liquor should have an opportunity to dispose of their property. It is the plainest principle of abstract justice to protect them against the confiscation of their property. The inherent sense of justice insists there should be a chance to dispose of their goods and save something from the wreckage."

**Robinson Against It**

"No benefit would be accomplished," said Senator Robinson, "by substituting prohibition for the peace treaty. The treaty is a matter in which the entire world is interested. No progress has been made since the signing of the armistice. Conditions throughout the world are such that the military victory may be transformed into a substantial defeat. The Senate wrangles over minor details while the world waits."

"A national-wide industrial war faces the United States. In fact, it is at hand. Strikes are in progress or impending in every branch of industry. These are all charged to German propaganda."

"Before I vote to override a veto," said Senator Borah, "I want to know if the war-time prohibition act is constitutional. A number of laws, such as the espionage act, should have remained in the war time, whether it is technically over or not. I want another day to look into the matter. I don't want to displace the treaty, but believe the debate is valuable to the country if not to the Senate. Some of us will continue this discussion until the last vestige of the conspiracy that made the treaty possible is exposed."

**Up to Wilson, Says Spencer**

"The necessity for war-time prohibition has ended," said Senator Spencer, Missouri, "and the President could now proclaim the army demobilized. It is not necessary that the last soldier should be mustered out. The war ended long ago to all intents and purposes and within the meaning of the law."

"The President might issue a proclamation now," said Senator Sterling, "and declare the demobilization of the army concluded. He has full authority under the law to do so."

"I desire to protest against the construction that has been put upon the law," said Senator Norris, of Nebraska. "The theory of Congress was that war would be terminated before demobilization took place. The President cannot terminate the prohibition law at any time. He has no power to declare the war ended and demobilization completed. In a legal sense we are at war with Germany just the same as at any other time. The President's legal advisers are right in telling him he could not issue a proclamation now."

Senator Sheehan proposed a resolution, reciting a declaration of the President in a speech, that the war was ended, and expressing the sense of the Senate "that for purposes of war-time prohibition the war is ended." This was knocked out on a point of order.

Commenting upon the statement authorized at the White House to the effect that the war-time prohibition ban would be lifted as soon as the peace treaty is ratified by the Senate, and not before then, Senator Penrose said:

"That is about the cheapest piece of ward politics I have ever seen played in the White House. There was not the slightest need for a veto of the prohibition bill. Every one knows that the President has the power to lift the war-time prohibition ban whenever he sees fit after demobilization is accomplished."

"The contention that he must await ratification of the treaty is too nonsensical for discussion. It has been evident all along that the purpose of the President in delaying the lifting of the ban has been to force the Senate to action on the treaty."

"This statement from the White House giving the superfluous assurance that the ban will be lifted as soon as the Senate ratifies the peace treaty simply provides further confirmation of the President's real purpose—an attempt at coercion so far-fetched and feeble that it is ridiculous."

"The action of Congress in passing the prohibition bill over his veto within twenty-four hours constitutes a humiliating rebuff to the President, particularly because of the manifest insincerity of his methods."

**Resolution Urges Sale Of Army Motor Cars**

WASHINGTON, Oct. 28.—Immediate sale at auction of all surplus army motor equipment, except 22,195 trucks allocated to the states for road work, would be asked of the War Department in a resolution introduced today by Representative Reavis, Nebraska, chairman of a war investigating committee. Thousands of passenger automobiles and a large number of trucks are included in the equipment the War Department would be asked to sell.

Resolution was introduced particularly because of the manifest insincerity of his methods."

**Both Candidates in Jersey Race Contend "Dry" Veto Aids Them**

TRENTON, N. J., Oct. 28.—Both the Republican and Democratic state committee in session here today claimed New Jersey for their respective party by upwards of 50,000 majority. The Democrats declared that Wilson's act in vetoing the war-time prohibition enforcement bill would help their candidate, Senator Edward I. Edwards, of Jersey City, an avowed "wet" and injure Newton A. K. Bugbee, the Republican candidate, who has declared that prohibition is beyond the stage of state issues.

E. C. Stokes, Republican state chairman, said that President Wilson's veto was a serious setback to national prohibition, under the Eighteenth amendment, was now a part of the fundamental law of the land upheld by Bugbee's attitude and repudiated Edwards' attitude to attempt to nullify the amendment.

**Anti-Saloon League Pledges Assistance to "Dry" Enforcement**

Andrew B. Wood, assistant superintendent of the anti-saloon league of New York, told last night of Commissioner Roper's appeal for assistance in enforcing war-time prohibition, said the Anti-Saloon League would be more than glad to cooperate.

"I shouldn't want the impression to get about that we have a large force of detectives or that we are planning a large force," Mr. Wood said. "We have no detective force. Our policy always has been to educate the public to employ the existing machinery for law enforcement."

Wood turned over to the Department of justice here a number of complaints of violations that have been sent to us. The department has followed up these complaints with prompt action."

Robert Davey, an attorney, is head of the law enforcement committee of the Anti-Saloon League of New York. He could not be reached last night.

Many individuals who are prominent in the Anti-Saloon League of America also are prominent in the Allied Cities of America, which is generally believed to have been formed for the purpose of aiding the authorities to bring about a strict enforcement of prohibition.

**All Ohio Liquor Sellers Since May 26 Held Guilty**

CLEVELAND, Oct. 28.—Every Ohio saloonist who has bought or sold liquor since state-wide prohibition became effective May 26 is guilty of violating the Federal internal revenue law, it was declared by the Federal grand jury. This declaration was made today by Federal Judge D. C. Weston, in charging the jury today.

Judge Weston said it is the first time in his recollection that a Federal grand jury has been called upon to pronounce upon the guilt of liquor who cared to take a chance. In other sections of the city regular customers were able to take on enough fuel to carry them on their voyages homeward. Few saloonkeepers expressed any intention of closing their places. The

common view was that they could worry along at least for a while by selling soft drinks. Proprietors of large restaurants, such as Churchill's, Café de Paris and Shanley's, said they had been concentrating since July 1 on endeavors to make their establishments popular as eating rather than drinking places, and believed they had succeeded to an extent to justify them remaining in business.

The duty of enforcing the wartime home law of the metropolitan districts falls on the shoulders of Colonel D. L. Porter, supervising agent of the United States Internal Revenue Service, whose office is in the Customs House.

Colonel Porter was ill at his home yesterday. One of his deputies said that they were momentarily expecting a telegram from the United States Commissioner Roper, of the Internal Revenue Department, to proceed with enforcement measures previously determined upon.

Most of the saloon keepers in New York firmly believe that Colonel Porter has a staff of 300 men ready to pounce on any of their number who violates the law. However many there are, the United States District Attorney's office here is prepared to prosecute speedily all persons arrested for violation of the new enforcement law.

**McCaffrey Issues Statement**

The following statement was issued yesterday by United States Attorney McCaffrey:

"The so-called prohibition enforcement law contains three substantive provisions to which attention is called. The new law makes it clear that the beverages to which the war prohibition act of November 21, 1918, applies include all beer, wine or malted liquors in any form which contain one-half of 1 per cent or more of alcohol by volume."

"It declares to be a public and common nuisance any kind of place where alcoholic liquors are manufactured, kept for sale or bartered in violation of the war prohibition act, and proscribes as a punishment fine of not less than \$100 nor more than \$1,000 or imprisonment for not less than thirty days or more than one year or both."

"It authorizes the United States District Court in suits brought by the government to abate such nuisances and enjoin their further maintenance, and empowers the court to issue injunctions by a fine of not less than \$500 nor more than \$1,000 or by imprisonment of not less than thirty days nor more than twelve months, or both such fine and imprisonment."

**Brewers Going Into Court**

Secretary Fox of the Brewers' Association issued this statement when he learned of the Senate's action:

"The members of the United States Brewers' Association have been advised by counsel that the Volstead prohibition enforcement bill, known as the national prohibition act, is unconstitutional in so far as it provides for the continuance of prohibition. They know, as most American citizens know, that it is discriminatory and unjust. Nevertheless, the brewers will observe the terms of the court until the provisions are repealed. A suit will be brought to test the constitutionality of these provisions, and every effort will be made to have a prompt hearing."

**After War Was Over**

"The original war prohibition measure was enacted ten days after the war had ended, as declared by the President. The present act imposes its unexampled provisions upon the American people almost a full year after the last shot was fired in the great conflict, and the high seas and upon the battlefield have returned to the pursuits of peace. Yet in its immediate effect and application it is far more onerous than the annals of legislation disclose few instances of more shameful abuse of legislative power."

"To describe how frequently and how flagrantly this measure violates long established American principle and long cherished American tradition would require much space. It is perhaps sufficient to indicate the ease with which trial by jury of persons accused under its provisions can be avoided; how summary proceedings before a judge and jury are substituted for the customary processes of law; how indirect or passive infringement of the statute can be penalized; how the property of one who is unable to prove his ignorance of the illegal use of his holdings by another can be taken away and sold; how the guilt of a person having possession of liquor of any kind is presumed, instead of his innocence, and how the burden of proof is upon him rather than upon his accuser; how the person living in the seat of an establishment can escape search and seizure while his neighbor, living in another sort of dwelling, is subject to invasion; how an army of Federal agents, at a cost of millions of dollars, is created for enforcement purposes; how onerous regulations govern the prescribing of liquor by physicians, and how the quantities that may be prescribed are arbitrarily limited."

"The law describes as intoxicating liquor any beverage containing as much as one-half of 1 per cent of alcohol by volume. This is contrary to the fact for drinks containing seven times that amount of alcohol are known to be non-intoxicating. Recent analyses by distinguished experts show that a very large number of root beers, fruit syrups, proprietary beverages and others, all in the category of and universally recognized as 'soft drinks,' contain more than one-half of 1 per cent of alcohol. It is well known that liquids made of fruits or containing sugar can scarcely be kept from developing more than this quantity of alcohol unless harmful preservatives are used."

"The production of 'non-intoxicating' cider and fruit juices at home is permitted by the Volstead act. Nothing is said as to how these products are to be kept from fermenting. This is a sop to the farmer, who could be expected to arise in wrath if his herd or his home-made wine should be interfered with. But the farmer is not given to brewing beer at home, and the city dweller who attempts experiments along this line may expect to find himself under surveillance."

"The Eighteenth Amendment contains a clause deferring its operation until a year after the date of its ratification. This was agreed upon in order to allow liquor manufacturers to liquidate their business and wind up their affairs. The Volstead act, in continuing war prohibition at this time, clearly violates the pledge held out by the amendment. Hence, to its many other inequities, must be added a deliberate and calculated breach of faith. It is thus that prohibition is introduced to the American people."

**Until It Is Set Aside**

R. J. Schaefer, president of the New York State Brewers' Association, announced last night that the brewers would cease supplying beer and urge their customers to conform with the law "until it is set aside as the result of a judicial test which unquestionably will be made by the brewers." In his statement he said:

"The brewers look forward to a clearing up of the situation at an early date which will permit the resumption of their business of brewing beer legally and in a normal manner."

"Some of the difficulties confronting the officers charged with enforcing prohibition in New York were reflected yesterday in the trial of Bernard Daly, proprietor of a café in East Forty-second Street, and seven of his waiters, charged with serving and violating the war-time prohibition law. Daly

and his seven waiters were acquitted by the jury and promptly released. Demijohns and bottles full of liquor were placed in evidence by the government attorneys. William H. Polling and Charles P. McCarver, agents of the Department of Justice, who raided Daly's place, testified that the liquor had been seized by them when they made the raid.

Counsel for the defense brought out that both of the men were in connection with their prohibition enforcement work.

Thomas G. Gleason, a government chemist, was another witness. His was a happy task. At the request of counsel for the defense he alternately tasted the contents of the bottles and jugs. He identified one as containing rye whiskey, another as Scotch, another as sherry wine and another as a ginger ale rye highball.

The jury watched him closely and then voted Daly and his waiters innocent.

**Publication of 60 Magazines Resumed In Other Cities**

Many of Them Never Will Return to New York, It Is Said, as Result of Strike of Pressmen and Printers

It was announced at the office of the Printers' League, the organization of employing printers, in the Flatiron Building, yesterday, that more than sixty magazines and trade publications, which have been held up as a result of the chaotic situation in the printing trades of New York, have left the city and have resumed publication in various cities throughout the country. Most of the publications, it was said, have been placed in out-of-town printing plants by a special committee of the Printers' League, cooperating with the publishers. While some of the publications have left this city permanently, most of them are expected to return as soon as the present lockout of pressmen and feeders and the "vacation" of compositors are adjusted.

Among the periodicals to be printed elsewhere are: "Vogue," "Vanity Fair," "Century," "Life," "McClure's," "Judge," "Leslie's," "Cosmopolitan," "Collier's," "Harper's Bazaar," "Good Housekeeping," "Forum," "Metropolitan," "Dial," "Dramatic Mirror," "Survey," "Harvey's Weekly," "North American Review," "Motion Picture News," "Moving Picture World," "Hardware Age," "Motor World," "Automotive Industry," "Mining and Engineering Journal," "House and Garden," "St. Nicholas," "Costume Royal," "Printers' Ink," "Field and Stream," "Parisienne," "Saucy Stories," "Music Trades," "Musical America," "Paper Trade Journal," "Tobacco," "American Stationer," "Hotel Review," "American Exporter," "American Export Industry," "Spur," "Electric Railway Journal," "Architectural Record," "Baker's Weekly," "Spice Mill," "Nation's Business," "Asia," "Sea Power," "Towns Country," "El Indicator," "Radio Amateur News," "Boys' Life," "Film Fun," "Fruit Dispatch," "Mechanical Engineering," "Sugar," "Good Roads Magazine," and "Municipal Journal."

Among the cities benefiting by the exodus of publications from New York are Cleveland, Chicago, San Francisco, Boston, Hartford, Albany, Stamford, Conn.; Worcester, Mass.; Caltown, Pa.; Scranton, Baltimore, Schenectady, Cincinnati, Springfield, Ohio, Hartford, Poughkeepsie, Philadelphia, St. Louis, Newark, Dayton, Yonkers and Jamestown, N. Y.

Six publications, it was announced by the Printers' League, are using lithograph plants in place of composing rooms. These are: "Scientific American," "Magnetic Bulletin," "New Success," "Independent," "Musical Courier" and "American Machinist." The last named is a publication of more than 500 pages. The "New Goods Economist" is being mimeographed.

Commenting upon the exodus of publications from the city, William Green, chairman of a labor committee of the Printers' League, said:

"All of this work is being done outside New York with the consent and assistance of the Printers' League. The suffering of the publishers will be averted and the work of the Printers' League is not weakened. Some of the work has gone from New York to stay. This will be a big loss to the men who are so insistent upon their 'vacations.' The arrangement is entirely satisfactory to the Printers' League."

Announcement was also made at the office of the Printers' League that seventy-two small plants, the proprietors of which are members of the league, have resumed operations with the aid of pressmen belonging to the International Printing Pressmen and Assistants' Union, the organization which is fighting the so-called secessionist pressmen.

**Chicago Strike Is Repudiated By Brotherhood**

An Attempt to Discredit Organization of Trainmen, Says President Lee, and It Won't Be Sanctioned

Will Confer With Hines

No Likelihood of Increase in Wages; Extra for Overtime Is the Chief Hope

WASHINGTON, Oct. 28.—A strike of trainmen in the Chicago switching district, called by local union leaders for Thursday unless certain wage demands are granted "in full," would be "wholly unauthorized and without the sanction of the Brotherhood of Railway Trainmen," it was said here to-night by W. G. Lee, president of the Brotherhood.

The proposed strike, Mr. Lee said, was "nothing more than an attempt to discredit the Brotherhood of Railway Trainmen."

Mr. Lee said two officials of the brotherhood attended the meeting said to have been held Sunday night, and at which it was announced by local union leaders the strike was decided on. These officials, however, Mr. Lee said, had no knowledge of any decision to call a strike.

Mr. Lee and the general committee of the Brotherhood of Railway Trainmen will confer to-morrow with Director General Hines on the union's wage demands, which are about to be decided. Mr. Hines has had the recommendations of the board of railway wages before him for two weeks, but whether he has been able to reach a decision in the rush of work incident to the threatened coal strike has not been revealed. It was agreed when the demands were presented last July that the officials of the railroad administration and the union would confer before the award was made public, which accounts for to-morrow's meeting.

**No Increase Is Likely**

It is considered certain that the union's request for a general wage increase will be refused. Mr. Hines will act on the demands independently of President Wilson, it was learned authoritatively to-day, but the President's general policy, laid down at the time the shompen were denied a general increase, but given an adjustment of inequalities compared with other union members, will govern his decision.

The most important question presented by the demands is that of time and a half for overtime, which has been sought for several years as a "unitive measure" to curtail the long hours of work. If granted it would be the most important victory gained by railroad employees since the eight-hour law became effective.

In discussing the labor situation as it relates to railway men and coal miners, Mr. Lee said to-day:

"The government cannot force miners to dig coal or men to move trains with all the soldiers in the world. If it can, then men are in a condition of involuntary servitude. It would mean that no man could quit his job if his employer were powerful enough to secure government intervention."

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country some years ago. Civilized countries have abolished slavery centuries ago. We should bear in mind that we are living in the year 1919 and in what we are proud to call the greatest democracy on earth. The workers did well their part in the war in keeping democracy safe, and now they merit words of praise instead of threats.

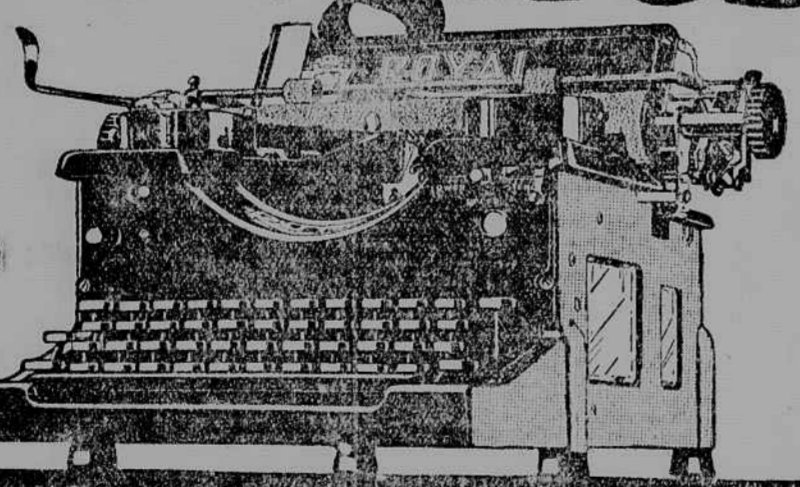
**Skilled Men Required**

"The threat to have soldiers work the mines is foolish; just as foolish as if the government threatened to call soldiers to work the trains. It requires skilled men to do either, and there are laws which prohibit the unskilled from working in mines or on the railroads."

In view of Mr. Lee's statement there was a revival of speculation to-night in the possibility of a sympathetic strike by the railroad brotherhoods if the coal miners persist in walking out. One who believes the brotherhoods would be reluctant to take such a step, no matter how they might seek their feeling or how they might attempt to interfere with the movement of coal from non-union mines or mines operated by soldiers, believes that the railroad strike circles are crossing that bridge until they come to it.

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